

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

UNITED STATES OF AMERICA

Plaintiff

v.

Court No. 1:12CR082-LG-JMR-001

ASHLEY KEEL

Defendant

and

THE ENDOSCOPY CENTER

Garnishee

ORDER

A Writ of Garnishment [33], pursuant to 28 U.S.C. § 3205, directed to THE ENDOSCOPY CENTER as the “Garnishee,” has been duly issued and served upon the Garnishee as to Defendant Debtor Ashley Keel.

Pursuant to the Writ of Garnishment, THE ENDOSCOPY CENTER filed an Answer [36] on December 14, 2023. However, in its Answer, the Garnishee stated that it held earnings of the Defendant in paragraph C while simultaneously claiming to have no property of the Defendant in paragraph G. *See Answer, 36.* The Garnishee then filed an Amended Answer [37] on January 12, 2024, as the Garnishee, stating that at the time of the service of the Writ it had in its possession, custody or control, personal property to which the Defendant held an interest, and Garnishee was indebted to Defendant, in her sole capacity, as follows:

1. Gross recurring semi-monthly earnings of approximately \$2,016.00, with approximately \$1,702.15 of disposable earnings.

On December 6, 2023, Defendant Debtor was served with a copy of the Clerk’s Notice and the Writ of Garnishment, advising that she may file an objection to the writ or the answer of the garnishee, claim applicable exemptions, if any, and request a hearing within 20 days of service. *See Cert. of Service, 35.* Defendant was served with the Amended Answer evidenced

by the Certificate of Service filed by the Garnishee with its Amended Answer [37] on January 8, 2024. Neither party has filed an objection and requested a hearing as to the Writ or Amended Answer filed by Garnishee THE ENDOSCOPY CENTER within twenty (20) days of the filing of the same, pursuant to 28 U.S.C. §§ 3202(d) and 3205(c)(5). It has been shown that the amount of criminal debt owed by the Defendant is presently **\$66,081.61**.

IT IS THEREFORE ORDERED that Garnishee THE ENDOSCOPY CENTER pay to Plaintiff, from Defendant's recurring "earnings," her "non-exempt disposable earnings," which is **25%** of Defendant's "disposable earnings" as defined by statute (*see* 28 U.S.C. § 3002), until the judgment owed to Plaintiff is paid in full, or until Garnishee no longer has possession, custody, or control of earnings belonging to Defendant, or until further order of this Court. Amounts withheld between the receipt of the Writ and this Order, and required by the Writ of Garnishment, should be included with the first payment.

IT IS FURTHER ORDERED that the United States will reduce the amount of the judgment debt owed to the United States by the amount received, and that an annual accounting of this garnishment shall be filed with the Court and provided to the judgment debtor and the garnishee pursuant to 28 U.S.C. § 3205(c)(9)(A) so long as this garnishment order is in effect.

Payments shall be made payable to **Clerk of Court** and mailed to **United States District Clerk of Court, 2012 15th Street, Suite 403, Gulfport, MS 39501**. The payment shall include on the face of the payment instrument the name of the Defendant, Ashley Keel, and the case number 1:12CR082-LG-JMR-001 for proper identification.

SO ORDERED AND ADJUDGED this the 29th day of January, 2024.

s/ *Louis Guirola, Jr.*

Louis Guirola, Jr.
United States District Judge